

minorities as (I), and I was denied on discriminatory ground the position of Systems Engineer to North Africa because my name was posted by Savastano in the Cisco-No-Hire-list.

Exhibit 13 attached hereto.

27. I state that I met with defendant John Chambers in two (2) separate occasion(s), one time in **New York office** Pen Plaza where he was conducting a meeting with Key Span Energy (my cisco client) and I also met with my client Managers at Key Span Energy attending such meeting with Defendants Chambers, and I was also with team of Cisco engineers converting the office regular phones to the new IP phone a new technologies called Cisco AVVID, and I complained to him about Defendant Savastano. **Exhibit 14 attached hereto.**

28. I state that I met with Defendant John Chambers for the second (2)time during his visit to **Massachusetts** where he was conducting a mandatory Town Meeting with all Massachusetts employee(s), and I was told by my manager to attend such meeting where I met Defendant Chambers and shook hands with him (John Chambers), complained to him once again about Defendant Savastano discriminatory conduct executed against me. (**the record is with Mr. Flaby and Cisco**)

29. I state that after I complained to Defendant John Chambers about his buddy Defendant Savastano act of discriminations and such complaint was in person in New York

and in Massachusetts, and on about the month April, I was taking by surprise and was terminated from my employment. Cisco used the economy as pretext calling it a lay off process, and I was eligible for rehire one year from the date of my termination.

30. I state that defendant(s) Cisco have used the (1) one year eligibility for rehire as a lie, utilized to fool and mislead me and to minimize liabilities, and to force me to accept their illegal term(s) as I was forced to sign such terms or paper(s) forcibly against my will and in close doors, as I wrote with sarcasm "**thank you for every things**", while being put in stressful and threatening environment as they have done to me at Lucent Technologies; where the last time I **recall refusing** to sign such corporate papers under the same command of "Defendants Savastano and Wiese" (**deja vue**) at Lucent Technologies , I ended up in Fountain (**one of their plan A**) in a **Pinellas county Florida ambulance** and in **Pinellas County Florida Police custody** against my will and against the law, wrongfully held against my will and when "[t]hey" found nothing against my background, (proceeded with plan B), decided to execute the "Backer Act" a Florida Statute utilized very often against only minorities (when they beat them up and abuse them as they have done with me) (Backer

Act) is a waver to strip liability from Police and white persons as defendants, and to shift it directly to the framed individual himself (framing me), by ordering my confinement destined to some Prison called mental ward prison to teach me a lesson, and I was supposed to spend a good 72 hours by law (only spent about 12 hours and was released), thereafter they figure it out that they have a problem on their hands as they do right now, because I was an American well educated, professional, no criminal records, no mental history and as Defendant' Savastano Secretary Johan Grohe heard stating openly they "fucked it up" they are going to Backer Act him even before I and the police left the Lucent Premises, also they have sworn a trespassing against me as they have done here at Cisco, They knew I was not a "**BANA BOAT**" a term used against CUBAN(s) Americans and the "**GHETO**" (s) equivalent to **NIGER(S)**" a term used for people like me "African American(s)" or the "**SWAMP**" a term used to describe the white low income as trash; Defendant Carl Wiese used such epithet(s) joke(s) in his office at Lucent about minorities similar as me the people African American .

Exhibit 15 attached hereto.

31. State that after my termination at Cisco Defendants Savastano and his buddy Carl Weise waiting to join Cisco, was negotiating his offer letter for its benefits at that time, they

directed Bruce Bastian a Cisco Manager out of **North Carolina** to purposely sent an audio-email to the Engineer in **Tampa Florida** (why from North Carolina to Florida and it is to the court to decide), where Cisco engineers knows me , such email was disgraceful in nature , humiliating with word, harassing, full of **profanity** and racist to me , such racist audio-email with profanity was destined to the Engineers at Cisco who knew me and knew Savsatano, as Mr. Amado Navas, Dale Ronowski, as well as others, who advised me of its existence , and provided it to me and it is docketed before the Court and before U.S. district Court of Florida. **Exhibit 16 attached hereto.**

32. I state that Bruce Bastian a Manager with Cisco Sales Organization based out of **North Carolina regions** reporting to Carl Wiese and Rick Justice, who sent such racist Audio-Email to **Florida regions** ' Engineers, such audio email was purposely targeting me because defendants Savastano and Wiese were very much aware that I traveled to **England the Airport of Heathrow** for the Cisco **Systems** Engineer for **North Africa region**, and such action is not **coincidence** but an act of intention on discriminatory ground and that such audio-mail state in it **Arab and England Airport Heathrow** as quoted the following:

" DO NOT PLAY THE SOUNDS UNTIL YOU HAVE READ THE FOLLOWING

This is the story. . .

We'd go and sit on the balcony at **Terminal 3 at Heathrow -----England Airport**, directly under one the PA speakers wher we put a tape machine in a bag with the microphone poking out of the top. Then we'd look for a flight that had arrived in the last 40 minutes from somewhere where you'd expect people with unpronounceable name i.e **SAUDI ARABIA** -- (Arab)

We would then go to the Airport help Desk with a prewritten note containing the names of **fictitious passengers** and ask them to read out the names over the PA system.

The passenger' s names looked innocent enough on paper but they sounded like something else when read out loud.

Arheddis Varkenjaab and Aywellbe Fayed		I hate this fucking job, and I will be fired
Arjevbin Fayed and Bybelev Rhibodie		I've just been fired, and bye-bye everybody
Aynayda Pizaqvick and Malexa Kroet		I need a piss quick, and my legs are crossed
Awui Dasfishabeda and Nowaynayda Zheet		Oo-ah, that ' s better and now I need a shit
Makollig Jezvahted and Levdaroum DeBahzted		My colleague just farted, and left the room, the bastard
Steelaygot Maowenbach and Tuka Piziniztee		Still, I got my own back and took a piss in his tea

We got rumbled doing the "My colleague just, etc. " They actually threatened to arrest us as apparently they'd received complaints over the previous weeks!

The last one (Still, I got my own back...) was recorded at Gatwick airport which does not have such a good sound system, and is generally a much noisier place, so that's why is sounds crap!

33. I state that Bruce Bastian'email stated in it **Arab** and **Heathrow Airport England**, and it was strong proof that such email was directed in particularly to me, because Defendant Savastano was aware the fact I traveled to **England , France , and United Arab**

Emirates, and that he posted my name in the Discriminatory animus the Cisco-No-Hire-List, denying me such wonderful opportunity as Systems Engineer of North Africa region, such opportunity with Cisco will allow me to add value to Cisco and to the Share holders and to grow Cisco to that region the North Africa, where I am an America native of Morocco the North Africa.

34. I state that Cisco personnel(s) including the Vice President of Sales a co-worker of Carl Wiese and Savastano, admitted of Bruce Bastian -misconduct of sending the racial auci email targeting and ridiculing all Foreigners and Americans as me w with difficulty to pronounce the English Language and Americans with Speech disabilities, and quoted from their correspondence the following:

Exhibit 17 attached hereto.

" Thank you for bringing this to our attention. I agree with that such messages are not **consistent with Cisco culture and is unacceptable**. I have asked David Campbell our HR director to engage and **recommend appropriate remedy**."

Unfortunately Cisco Code of Conduct or Cisco Code of Business Ethics is only applied to Minorities if they dare violated such Cisco Rules, or complained about white race as I did about Savastano.

35. I state that the same pattern of discriminatory conduct occurred during my wrongful termination **Gestapo Style**

at Lucent Technologies, orchestrated by the same two musketeer defendants Savastano and wiese, who directed a Lucert Manager Mike Reed very good friend of both of them, who reported to them, was directed to sent an email title "**it is done**" full of racist words to all my co-workers at Lucent Technologies, and the email express antipathy toward foreigners and toward me in particular, used in it ethnic epithets to describe me, and the email (it is done) further expressed the hope that writer could make me look bad and have me as they have done to conspire terminate me and the email "it is done" state the following:

(Mr. Mike Reed is probably a high school drop out and could not spell English and the word **NIGGER** (Niger))

Exhibit 18 attached hereto.

" **From Mike Reed**
To Bay, BBRewer (bay & BBRewer correspond to GROUP)
Date 1/24/97 12:25 am
Subject it ' done!

Bruce (referring to his cousin at lucent), I need your help we need to these **damned foreigners** they think they can come over to my country and first of all take our jobs, then be our bosses. Anthony Bayad needs to be stopped or before you know it he will be running this company. He is nothing but a **SAND NIGGER** or **DIRTY ARAB** or something like that. I think that with our help, we can make him look bad in the eyes of upper management, so wr can finally get rid of him and his **spick boss**, once and for all. Tony (savastano) already has plan Scott Boda will get certified in this near future, and two other people they told to get certified, we can finally get **rid of them**, Even if they are right in saying most people in

this company don't like to work hard, and all they do is play games they should not come in and make waves.

Mike Reed "

36. I state that the law is meant to be applied with fairness and with the highest integrity in Civil Rights matter or cases where state of mind is at stake and such cases are to be carefully dealt with when brought before the Court in accordance with the law and our U.S constitution that state that all Americans white and blacks are equal under the law.

37. I state in addition that Defendants Cisco are promoting racism in the work force, when the Sales team Leader reporting to Carl Wiese and Rick Justice, Mr. Chuck Robbins of the sales organization at Cisco corresponding at Cisco with his buddy Paul Mountford via email joking among them selves stating the Word **NIGEL with and L for - NIGER** , and stated the word - **PUPIL** for **Black** during their business way of Communications at Cisco. Quoted as follow:

Exhibit 19 attached hereto.

" Chuck ,

Good Follow up on the initiatives we outlined in LA one of caution however, make sure when you associate my name with a joke. . . it 's a good one, in this case I ' am OK and the use of the **name Nigel** as the **mischievous, challenging, disrespectful pupil** is **entirely appropriate**.

Paul"

38. state that my understanding of law as I am not an attorney but only Pro Se that **statement of bias** from a top Executives or Managers in the corporate hierarchy can be enough to establish a Prima Facie case -that is to raise inference of discrimination sufficient to shift the burden of explanation onto the defendants. McDonnell Douglas Corp v. Green, 411 U.S. at 792, 802.

39. I state that my understanding of Law or the case Law as I am not an attorney but only Pro Se that in Cordova Vs. State Farm Insurance Companies, 124 F.3d 1145 (9th Cir.1997). The fact provided once before and filed with Court that Defendant Carl Wiese directed Lewis Kaslow who he promoted, to harass me and to verbally abuse me and calling me racist names as he admitted to is under oath, that he did not care if I **had to take a flying carpet** to attend a meeting with him and that **I am but a Sand Niger and Dirty Arab** as Mike Reed have done with directive form his Buddy defendant Savastano. Wrightvs.Southland Corp. 187 F.3d 1287, 1297 (11th Cir. 1999); see Slattery v. Swiss Reinsurance America, 248 F.3d 87 (2d Cir. 2001), and the Court can draw its conclusion.
Exhibit 20 attached hereto. (flying Carpet)

40. I state that when Defendant Savastano spotted me on about October 16 , 2000, (deja vue) working at Cisco, my manager Lynn Fraser was made aware of such problem , and she begun to harass me, to conspire against me and with others at Cisco, begun to micro manager me, ordering me to check with her every day and not to work any more from home while other white employee(s) coworker(s) were enjoying that privileged and freedom given to them as it is very discriminatory defined in legal context of as follow:

“ To discriminate is to make a distinction, to make a difference in treatment or favor which are prohibited and against the law . . . are those which are based on any five of the forbidden criteria : Race (as in this case), religion, and national origin.”

40. I state that defendant Savastano spotted me working at Cisco, directed My manager Lynn Fraser to assign two of her best buddies and also my coworker(s) Brian Low and Jeremy Nooman, to watch over me and to harass me by paging me in the office each time they wanted me for no reason.

41. I state that defendant Savastano spotted me working at Cisco, directed My Manager to scrutinize, by demanding me to submit my Cisco Corporate Finance Expenses at all time to her -or-to her buddies Brian Low and Jeremy Nooman, every time before being submitted to Cisco Corporate Finance where

Savastano is the Director or Vice President of Finance there, for business travel reimbursement.

42. I state that defendant Savastano spotted me working at Cisco, directed My manager not to pay for any accrued expenses of the Cisco Certification internetworking Expert the CCIE exam, and now, as it is making sense because she knew that I will never pass such exam that I took for about 11 times, was fully paid for by my credit cards (such record exists), and even though I was given all the actual CCIE exams.

43. I state that I provided a correspondence of communications between Lynn Fraser and Liz Bacchi a hiring Manager, considered me for a position **Voice specialist**, and Lynn Fraser stated to her that she **does-not recommend me to be hired** (for no Reason) and she emphasized heavily on the Cisco Exams the Cisco Certify Internetworking Expert ("CCIE") and her communication was quoted as follow:

" ... She ("**Lynn Fraser** My Manager") said that she would **not recommend anthony** to come back to Cisco that he worked for her for I believe 1 year. That he made commitments for his CCIE **but never** took the Lab or **any Classes**. I think he is still stating that he is taking the **CCIE** . . .

(quoted from the communication between Lynn Fraser and Liz Bacchi and provided to me in the Attachment of Paula Hughes ' declaration Dkt.68.)

44. I state that I took all the prerequisite for such exam the CCIE and all the training classes and certificate of completion of such CCIE training also called the boot camp, and the evidence is docketed as attachment before Court Dkt.1).

45. I stated that on about December 2000, while all the White Engineers are with their family enjoying the Holidays, I was stressing out preparing for the CCIE, attended the EXPERT CCIE PREPARATION course guaranty the passing of such the Exam the "CCIE", I was registered for a week long (7days) the **CCIE PREPARATION** on about **December 14, 2000**, and I received a **CERTIFICATION OF COMPLETION ON ABOUT December 22, 2000.**

46. I state that I provide such evidence of such attendance that is contradicting every statement of My Manager Lynn Fraser to Liz Bacchi, where she stated that I "never took the CCIE Lab or any Classes" or any training, such statement was quoted from her (Lynn Fraser my Manager) ' own communication with the hiring Manager Liz Bacchi, provided in the attachment in Paula Hughes ' declaration, that I did not attend any CCIE classes, and of the Letter of reservation of **Mentor Technologies** a "Cisco learning partner" who prepare Engineer(S) and guaranteeing them the passing of the CCIE (guarantee if taken) and who provide at the end of the

training **Certification of Completion** signed by the instructor and evidencing of such CCIE training prep also called - the BOOT CAMP. **Exhibit 21 attached hereto.**

47. I state in the forgoing that I applied for multitude of jobs Opening with Cisco called Cisco Requisitions with Cisco and I was considered for Two of them, (1) security Engineer position and (2)**Voice Specialist (AVVID)** as I was very trained By Cisco, and I have attended all the training there is out there for such technologies Voice Socialist also called Voice Over IP , On discriminatory ground I was denied such opportunity once again with Cisco by Defendants (Savastano) Carl Wiese, who have directed Lynn Fraser and others to deny me such opportunities on discriminatory ground.

Exhibit 22 attached hereto the Certification of Completion of all classes and training for Voice Specialist.

48. I state during my initial job application process for re-hire with Cisco, defendants Cisco intentionally sent an E-mail of correspondence requesting me specifically to provide my ethnic race background, and my gender to them, before being even hired by Cisco as it is against the law in Massachusetts that states the following: **Exhibit 23 attached hereto.**

" From : Cisco Systems [vsid@cisco.com]

Sent : Wednesday, December 03, 2003 6:01 PM
To : Anthony Bayad
Subject : Cisco Systems:: Voluntary self identification

Dear Anthony,

To assist Cisco Systems, Inc. in collecting government required candidate EEO (**Equal Employment Opportunity**) information, please go to the website address listed below. Once there, enter you e-mail address in the email address field. Submission of this information is strictly voluntarily and you may choose to decline to **state your race and gender** once you are logged on the form. Refusal to complete this information... "

49. I state that Defendants Cisco requested me to define my race and my gender etc. . and such request is only voluntarily, then such request should have waited until I got hired for such position or if it was sent then because I was really hired and considered for such position , and that when Cisco need to send me such EEO request of correspondence, by receiving such EEO I take such action as a " Job Offer granted" to me.

50. I state in regard to the position Voice specialist that I was hired and/or then fired, therefore such Request of Race identification was sent to me by the Hiring Manager Liz Bacchi because I was hired other wise the hiring manager will not spent time interviewing me and asking about my references and this include the permission to contact my

Manager Lynn Fraser as it was provided to by Ms. Paula Hughes own declaration Dkt.68 attachment C and states the following:

" . . . She (my manager Lynn Fraser) said that **she would not recommend Anthony to come back to Cisco..**
. . . "[that] is when "I sent this email to Anthony about the relocation issues and that we don't pay . . ."

(Liz Bacchi the hiring Manager quoted)

Filling the blanc: It is a clear that I was considered/hired and because of My manager Lynn Fraser and defendants, I was once again denied such opportunity with Cisco, and I take this communication between Cisco Liz Bacchi and Cisco Lynn Fraser a communication on discriminatory ground construed to harass me and to interfere with my Federally protected Civil rights.

51. I state in regard to the position of Voice specialist that I was denied on discriminatory ground of such position in similar as I was denied the position Systems Engineer for North Africa Region and if defendants and their attorney argue that I was not hired for the Voice Specialist position then why they were sending my identify my race and gender etc.. knowingly it is against the law and Massachusetts law states the following:

" Employer cannot ask employee(s) about their **race, origin, ethnicity, disability, and age during the **interview process**, but employer can ask **only** about the candidate ' **qualifications background**."**

52. I state that for the 3rd time denied job with Cisco for the Security Engineer position that I was interviewed for and considered for it and I was denied such position, and Defendants and their attorney Bruce Falby in his defense that the position was given to the Best Cisco White Employee of the year knowingly that I rebutted such defense that the Best Cisco Employee of Year do not transfer to another position with another new boss knowingly his boss helped him out and took care of him to become the best Cisco employee of the year, but such best White employee of the year is granted a medallion and an offer letter to enter to the Cisco leadership program to become a Manager with more money and absolutely not a Cisco job transfer. Such evidence of an example of a Best employee of the Year as Mr. Amado Navas who was nominated such prestige, was given a medallion and promotion and not transfer as Bruce Falby argue.

53. I state that I am not an attorney but only Plaintiff proceeding Pro Se that Defendants and their attorneys Bruce Falby, Robin Tar and their Chairman Bob Mattias, at different times, gives different and arguable inconsistent explanation for terminating my employment, for denying me opportunities such Systems Engineer in North Africa position, the Voice specialist, and Security Systems Engineer, jury will infer that articulated reasons are pretexts for race discrimination.

Dominguez-Cruz v. Shuttle Caribbean, Inc. 202 F3.d 424, 431-32 (1st Cir.)(Defendants inconsistent or changing explanations).

54. I state that the employer Cisco-that is, the organization as a whole such as Cisco) -cannot escape the liability simply because the final decision maker (Defendant John Chambers Carl Wiese and Anthony Savastano) was not personally motivated by discrimination. 682 F.2d at 977.

55. I state that I founded a **company Global Internetworking Consulting Inc.**, ("GIC") that engage in the Computer and Networking Technologies, Security, IP Telephony, Client Server, and Routing and Switching, and I invested my life saving to promote my company GIC, and became a Cisco Partner/reseller and with other companies as well.

Exhibit 24 attached hereto.

56. I state that other partner(s)/reseller(s) recognized my company and provided me with all tools and they even gave me a Plaque certifying me as partners and reseller, unfortunately Cisco did not because Carl Wiese run such Organization Cisco Sales organization. Defendants John Chamber(s) Carl Wiese, Anthony Savastano and others (Rick Justice named defendant in other case), Denied me on discriminatory ground to conduct business with Cisco, and they did not provide me with any recognition as they have with

other partners/reseller, did not allow me any access to any training or sell leads or any privilege as deemed and appropriate, but they allow other white persons to be trained and granting them all the privilege as Cisco partners/reseller(s), and absolutely not me or my company GIC. **Exhibit 25 attached hereto.**

57. I state that Defendants John Chambers, Tony Savastano, and Carl Wiese, directed their attorney(s) (1) Mark Batten , (2) then Bruce Falby on discriminatory ground absent of any criminal wrongdoing to swear a trespassing against me absent of my knowledge, waiting for me to violated as they requested the Magistrate Judge Bowler to grant them protective order simply by providing recorded communications that some of them must be questioned, and such scripts must be again questioned for its authenticity.

58. I state that defendants acted Cisco on discriminatory ground denying me access to Cisco or to any potential Customer as they have done to me with my potential employer(s), and their conduct is as they have excluded me my Cisco partnership/resellers license, as it is against the law. See M.G.L.A c.266. § 120.

59. I state since I could not find job with any company involved of selling or buying Cisco Systems gears or having

Cisco gear in house as Banks and other companies, I knew someone is defaming me and interfering with my Federally protected rights, I asked Cisco and their attorneys Mark Chandler and now Bruce Falby to provide me with my Cisco employment record(s), they denied me such rights, even though it is the law., Massachusetts at part I, Title I, Title XXI, Chapters 149, Section 52c.

60. I state that I demonstrate that others had influence or leverage over official decision maker and thus were not ordinary coworker(s), it is proper to impute their discriminatory attitude to the formal decision maker.

Abramson v. William Paterson coll. 260 F.3d. 265, 285-86(3rd Cir. 2001); It is sufficient if those Defendant(s) John Chambers, Anthony Savastano and Carl Wiese, whom exhibiting discriminatory animus influenced or participated as they have done in the decision to discriminate and to terminate me once at Lucent technologies Tampa Florida, International Networking Services Fort Lauderdale Florida, and now Cisco Systems Lexington Massachusetts.

A handwritten signature in black ink that reads "Anthony Bayad". The signature is somewhat stylized and cursive, with the name being the most legible part. It is positioned on a white background with a few other dark, illegible marks nearby.